

STATE OF NEW YORK

5241

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

Introduced by M. of A. DeSTEFANO, E. BROWN, ANGELINO -- Multi-Sponsored
by -- M. of A. HAWLEY -- read once and referred to the Committee on
Codes

AN ACT to amend the penal law and the vehicle and traffic law, in
relation to including peace officers in certain offenses against
public safety

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Section 270.25 of the penal law, as added by chapter 738 of
2 the laws of 2006, is amended to read as follows:

3 § 270.25 Unlawful fleeing a police officer or peace officer in a motor
4 vehicle in the third degree.

5 A person is guilty of unlawful fleeing a police officer or peace offi-
6 cer in a motor vehicle in the third degree when, knowing that [~~he or~~
7 ~~she~~] such person has been directed to stop [~~his or her~~] such person's
8 motor vehicle by a uniformed police officer or peace officer or a marked
9 police vehicle or marked law enforcement agency peace officer vehicle by
10 the activation of either the lights or the lights and siren of such
11 vehicle, [~~he or she~~] such person thereafter attempts to flee such offi-
12 cer or such vehicle by driving at speeds which equal or exceed twenty-
13 five miles per hour above the speed limit or engaging in reckless driv-
14 ing as defined by section twelve hundred twelve of the vehicle and
15 traffic law.

16 Unlawful fleeing a police officer or peace officer in a motor vehicle
17 in the third degree is a class A misdemeanor.

18 § 2. Section 270.30 of the penal law, as added by chapter 738 of the
19 laws of 2006, is amended to read as follows:

20 § 270.30 Unlawful fleeing a police officer or peace officer in a motor
21 vehicle in the second degree.

22 A person is guilty of unlawful fleeing a police officer or peace offi-
23 cer in a motor vehicle in the second degree when [~~he or she~~] such person

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 commits the offense of unlawful fleeing a police officer or peace offi-
2 cer in a motor vehicle in the third degree, as defined in section 270.25
3 of this article, and as a result of such conduct a police officer, peace
4 officer or a third person suffers serious physical injury.

5 Unlawful fleeing a police officer or peace officer in a motor vehicle
6 in the second degree is a class E felony.

7 § 3. Section 270.35 of the penal law, as added by chapter 738 of the
8 laws of 2006, is amended to read as follows:

9 § 270.35 Unlawful fleeing a police officer or peace officer in a motor
10 vehicle in the first degree.

11 A person is guilty of unlawful fleeing a police officer or peace offi-
12 cer in a motor vehicle in the first degree when [~~he or she~~] such person
13 commits the offense of unlawful fleeing a police officer or peace offi-
14 cer in a motor vehicle in the third degree, as defined in section 270.25
15 of this article, and as a result of such conduct a police officer, peace
16 officer or a third person is killed.

17 Unlawful fleeing a police officer or peace officer in a motor vehicle
18 in the first degree is a class D felony.

19 § 4. Section 101 of the vehicle and traffic law, as amended by chapter
20 496 of the laws of 2021, is amended to read as follows:

21 § 101. Authorized emergency vehicle. Every ambulance, police vehicle
22 or bicycle, peace officer vehicle provided by a law enforcement agency,
23 correction vehicle, fire vehicle, civil defense emergency vehicle, emer-
24 gency ambulance service vehicle, blood delivery vehicle, human organ
25 delivery vehicle, county emergency medical services vehicle, environ-
26 mental emergency response vehicle, sanitation patrol vehicle, hazardous
27 materials emergency vehicle and ordnance disposal vehicle of the armed
28 forces of the United States.

29 § 5. This act shall take effect immediately.